

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

Honorable Janet Neff

Case No. 18-755-cv

District Court of Western Michigan
410 West Michigan Avenue
Room 107
Kalamazoo, MI 49007

October 18, 2018

Honorable Judge Neff,

I received notice from Attorney Nicholas Laue, that he has filed for judgment in the above mentioned case. I did not intentionally disregard an order, I simply was not aware I was not able to represent myself. I have done so in the past, and have had communications with the opposing attorney and at no time was it mentioned that I was not able to represent myself. I apologize for overlooking this order and in no way meant to go against an order. Unfortunately, my company consists of just one person, me. I am a man trying to make a living to support my family by running a fair and honest company, I cannot afford to hire an attorney to represent me in this case, but feel I do have a right to defend myself and my business. It has been a rough year for my family due to health reasons, so financially I feel we are just getting back on our feet. Hiring an attorney so I can continue to do my job would be a major setback that we simply cannot afford.

What Game Room Guys is doing is often referred to as dirty business. They are using their name in the product description to eliminate any competition. This is not a practice Amazon promotes, in fact, they discourage the practice so all businesses are on a fair playing field. It would be like a gluten-free store that has been in business for years, suing a grocery store that just opened up that also sells gluten-free foods. Both stores have the same product, and both have a right to sell that product; Neither store makes the food and both get it from the same supplier. A grocery store would never have to pay the corner store its' profits of gluten free foods. This is what makes our economy successful. It assures a single company is not controlling a market and allows for competitive pricing. I sell many items on Amazon, and on most pages, I have other companies selling the same product; that's business. My job is to make a name for myself with exceptional customer service that keeps customers coming back. I am not here to sabotage Game Room Guys name, I just happen to sell the same products.

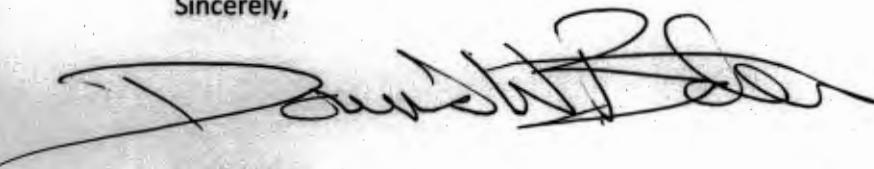
The products Game Room Guys are selling have not been made or manufactured by them. In fact, we both buy from the same distributor. Game Room Guys simply added their name in the product line/header in hopes of controlling the market and eliminating any other business from selling the exact same product on that page. Again, not a practice Amazon stands behind.

I am not pretending to be Game Room Guys. The product page clearly states there are two sellers of the product and clearly states the product will be supplied by Soda Bar Systems. I do not mimic their packaging and do not include their name on a product when I send it out.

I do agree that this case should be dismissed and both businesses should be allowed to continue on.

Thank you for your time and hope you take this letter into consideration.

Sincerely,



David Bates

DBEC, LLC